

**TELEPHONE CONFERENCE
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,
HYDROLOGISTS, AND SOIL SCIENTISTS
MADISON, WISCONSIN
MINUTES
TUESDAY, MAY 22, 2001**

PRESENT: Tracy Benzel, Wayne Lindgren, Roger Hall, Thomas Evans, Stephen Donohue, Herbert Garn, Patrick McGuire, David Mickelson (until 8:40 a.m.), Robert Karnauskas, E. Jerry Tyler

EXCUSED: Frederick Birts, Joan Underwood

STAFF PRESENT: Alfred Hall, Jr., Clete Hansen, Grace Schwingel, William Black

CALL TO ORDER

The meeting was called to order at 8:02 a.m. by Stephen Donohue, Vice Chair. A quorum of ten members was present.

ADOPTION OF AGENDA

MOTION: Thomas Evans moved, seconded by Jerry Tyler, to approve the agenda, as published. Motion carried unanimously.

APPROVAL OF MINUTES (3/29/01 and 5/7/01)

MOTION: Stephen Donohue moved, seconded by Thomas Evans to approve the 3/29/01 minutes, as written. Motion carried unanimously.

MOTION: Thomas Evans moved, seconded by David Mickelson, to amend the minutes of May 7, 2001, under legislative issues, regarding 2001 SB 156. The Board would like the motion to read: Tracy Benzel moved, seconded by Thomas Evans, to have the staff and Jerry Tyler draft a letter to oppose Section 1, to oppose Section 2, and to support Section 3. Motion carried unanimously.

MOTION: Tracy Benzel moved, seconded by Thomas Evans to approve the 5/07/01 minutes as amended in the previous motion. Motion carried unanimously.

ADMINISTRATIVE REPORT

Board Roster

Nothing to report.

2001 Meeting Dates

Noted.

Regulatory Digest

It was noted that the Regulatory Digest incorrectly indicated that Herb Garn was reappointed to the Soil Scientists Section. Herb Garn is a member of the Hydrologists Section of the GHSS Joint Board. Alfred Hall reviewed the reappointment process and the terms of some board members, which were about to expire in July 2001.

3/29/01 To Do List

The Board discussed the need to initiate a meeting of the Advisory Committee. The Committee will need to meet with representatives from the DNR and other agencies to work on integrating requirements that already exist in the administrative codes of these agencies into the Board's licensure requirements. The Advisory Committee will look at how the regulated soil scientists and hydrologists work with different regulatory agencies in Wisconsin and clarify where a professional licensed person should be required in the code.

Alfred Hall indicated that the Department would initiate the contact by way of a letter to other agencies to identify a date when the Board members and representatives from other agencies would be available. Members of the Committee are: Tracy Benzel, Robert Karnauskas and Joan Underwood. Thomas Evans is an alternate for Joan Underwood. The Committee decided to meet on May 30, 2001, from 10:00 - 11:00 a.m. by teleconference.

Initially, the two priorities of the Committee will be to deal with the exemption issue and to determine where certain licensure requirements are needed. The Committee will also need to come up with some acceptable language for legislation this summer, as requested by Senator Grobschmidt and Representative Duff.

Bill Black suggested that the Committee prepare a list of as many statutes or rules they are aware of within their general area of expertise and to frame some topic areas. This would not be an extensive list, but would be done in broad strokes, including items such as the DNR 700 series.

To-Pass Folder

Noted.

LEGISLATIVE ISSUES

Report on SB 156 Proposing Exceptions From the Requirement to Obtain a License to Practice Professional Geology, Hydrology, and Soil Science and Rule-Making Authority

Alfred Hall reviewed his May 16, 2001, memo to Myra Shelton which identifies the positions of those individuals who appeared before the Senate Committee on Environmental Resources. Board members questioned why the regional planning commissions do not want to have a professional soil scientist, geologist or hydrologist on staff. The concern is that they have people with other backgrounds doing that work. It was suggested that it would be more appropriate to license the task, rather than the profession.

The Board felt it was important for the Committee to get together jointly with the senators to discuss these issues, present the Board's viewpoint, and draft the language. The Board decided it would be prudent to accept a wide definition of "incidental practice," to expedite the passage of legislation. It would be helpful to define the extremes. For example, if a person calls himself or herself a professional geologist or advertises these services, the person is no longer engaged in "incidental practice." Without a definition of incidental practice the Board will not know who is or is not exempted. It was recommended that the Board needs to be proactive regarding upcoming legislative issues.

Testimony, 5/10/01, Tyler

MOTION: Herbert Garn moved, seconded by Tracy Benzel that the Board write a letter to Senator Grobschmidt and Representative Duff, indicating that the Board is willing and eager to set a date to meet and work with the constituents and drafters of legislation and other concerned parties to work on a definition of incidental practice and to assist in the drafting of legislation that would meet the concerns of all parties. Motion carried unanimously.

2001 Senate Bill 156 Legislative Hearing Report – Supplemental, 5/11/01, Hall

Nothing to report.

Legislative Hearing Assembly Environment Committee 11:00 AM May 22, 2001 – AB 358 Proposing Exceptions From the Requirement to Obtain a License to Practice Professional Geology, Hydrology, and Soil Science and Rule-Making Authority.

Nothing to report.

ADMINISTRATIVE RULES

MOTION: Herb Garn moved, seconded by Thomas Evans that the Board adopt, as presented, CR 00-139, an order to create GHSS 1.07, relating to creating a Rules Committee, delegating authority to the Bureau Director to sign off on behalf of the Vice Chair of the Board. Motion carried unanimously.

Miscellaneous Correspondence/Information

Nothing to report.

New Business

Nothing to report.

ADJOURNMENT

MOTION: Thomas Evans moved, seconded by Patrick McGuire to adjourn the meeting at 9:00 a.m. Motion carried unanimously.

NEXT MEETING: September 13, 2001

Rules Committee 9:00 A.M.

Board Meeting 10:00 A.M.